

SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY

NESHAP for the Secondary Lead Smelter Industry

1. Identification of the Information Collection

1(a) Title of the Information Collection

NESHAP for the Secondary Lead Smelter Industry

1(b) Short Characterization/Abstract

In order to reduce HAP emissions from secondary lead smelting, the EPA developed the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Secondary Lead Smelting (40 CFR Part 63, Subpart X) which were proposed on June 9, 1994 (59 F.R. 29750) and promulgated on June 23, 1995 (60 F.R. 32587). In response to industry petitions to reconsider, the final rule was amended on June 13, 1997 (62 F.R. 32209). Entities potentially affected by this rule are owners or operators of secondary lead smelters that operate furnaces to reduce scrap lead metal and lead compounds to elemental lead. The rule applies to secondary lead smelters that use blast, reverberatory, rotary, or electric smelting furnaces to recover lead metal from scrap lead, primarily from used lead-acid automotive-type batteries. The rule provides protection to the public by requiring all secondary lead smelters to meet emission standards reflecting the application of the maximum achievable control technology (MACT). The information required under this standard is intended to assure compliance with 40 CFR Part 63, Subpart X.

In general, all NESHAP standards require initial notifications, performance tests, and periodic reports including notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate, notification of the initial performance test, including information necessary to determine the conditions of the performance test, and performance test measurements and results. Owners or operators are also required to maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to 40 CFR Part 63, Subpart X.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated State or Local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

Industry and EPA records indicate that there are approximately 23 sources currently subject to the standard, and no additional sources are expected to become subject to the standard over the next three years. The burden hours for recordkeeping and reporting requirements for this ICR will be 16,033 at a cost of \$875,991.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, as Amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction.

In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

“(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.”

In the Administrator's judgment, metal and organic HAP emissions from secondary lead smelting processes cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, a MACT standard for this source category was promulgated at 40 CFR Part 63, Subpart X.

2(b) Practical Utility/Users of the Data

The control of emissions of metal (i.e., containing lead compounds) and organic HAP emissions from secondary lead smelting processes require not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of metal and organic HAP emissions from secondary lead smelting processes are the result of operation of the affected facilities. The sources of HAP emissions are smelting furnaces, refining kettles, agglomerating furnaces, dryers and fugitive dust. These standards rely on the capture of source and fugitive emissions containing total hydrocarbons and lead compounds by adhering to the leak detection and repair plan for baghouses or use of wet scrubbers to control particulate matter and metal hazardous air pollutants. The

required notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to check if the pollution control devices are properly installed and operated and the standard is being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standard, and serve as a record of the operating conditions under which compliance was achieved. The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by this MACT standard continue to achieve compliance. Adequate monitoring, recordkeeping, and reporting are necessary to ensure compliance with these standards, as required by the Clean Air Act. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

3(a) Nonduplication

If the standard has not been delegated, the information is sent to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or Local Agency. If a State or Local Agency has adopted their own similar regulation to implement the Federal Regulation, a copy of the report submitted to the State or Local Agency can be sent to the Administrator in lieu of the report required by the Federal Standard. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on February 1, 2001. No comments were received on the burden published in the Federal Register.

3(c) Consultations

No comments were received on the Federal Register notice, and no consultations were held.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB in 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents are owners or operators of secondary lead smelters that operate furnaces to reduce scrap lead metal and lead compounds to elemental lead. Secondary lead smelting and refining is included under SIC code 3341. Industries other than secondary lead smelters which are included in this SIC code are not respondents to this ICR. The corresponding North American Classification System (NAICS) code is 331492 [i.e., Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)].

4(b) INFORMATION REQUESTED

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 63, Subpart X.

A source must make the following reports:

Reports for NESHAP, Subpart X	
Construction/reconstruction	63.5
Initial notifications	63.9(b)
Initial performance test results	63.10(d)(2)

Reports for NESHAP, Subpart X	
Initial performance test	63.7(b), 63.9(e)
Rescheduled initial performance test	63.7(b)(2)
Demonstration of continuous monitoring system	63.9(g)
Compliance status	63.9(h), 63.549(a)
Physical or operational change	63.9, 63.10
Opacity or visible emissions	63.10(d)(3)
Periodic start-up, shutdown, malfunction reports	63.10(d)(5)(I)
Semi-annual monitoring/exceedance summary	63.10(e)(3), 63.550(c)
Standard operating procedures manual for control of fugitive dust emissions and baghouses for approval before startup	63.548(b), 63.549(b)

A source must maintain the following records:

Recordkeeping for NESHAP, Subpart X	
Start-ups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative	63.10(b)(2)
All reports and notifications	63.10(b)
Record of applicability	63.10(b)(3)
Records of bag leak detection system alarms, including corrective actions	63.550(a)(2)
Records for sources with continuous monitoring systems	63.10(3)
Records of parametric monitoring data, system maintenance and calibration	63.550(a)
Initial and annual compliance test results	63.550(a)(1)
Records are required to be retained for five years, however, only the data of the most recent two years must be kept on-site	63.550(a)

(ii.) Respondent Activities

Respondent Activities
Read instructions.
Install, operate and maintain baghouses, according to, a standard operating procedures manual and consistent with the manufacturer's instructions.
Monitor and record pressure drop and liquid supply pressure at the wet scrubber at least once every hour when using this control device for controlling particulate matter and metal HAP emissions from a process fugitive source.
Install, calibrate, maintain, and operate a CMS for temperature monitoring of the afterburner or the combined blast furnace and reverberatory furnace exhaust streams when complying with the total hydrocarbon emission standard.
Install, calibrate, maintain, and operate a total hydrocarbon CMS for measuring emissions when complying with the total hydrocarbon emission standard.
Equip pressurized drying bleaching seals with an alarm to determine seal malfunctions.
Perform initial performance test and repeat performance tests if necessary.
Use referenced Methods in Appendix A, Part 60, to determine compliance with the emission standards for lead compounds (i.e., Methods 1, 2, 3, 4, and 12) and to determine compliance with the emission standards for total hydrocarbons (i.e., Methods 1, 2, 3B, 4, and 25A).
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

5. The Information Collected -- Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AFS [AIRS (Aerometric Information Retrieval System) Facility Subsystem] database.

5(b) Collection Methodology and Management

Following notification of start-up, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard, and note the operating conditions under which compliance was achieved. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The semiannual monitoring reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AFS which is operated and maintained by EPA's Office of Air Quality Planning and Standards. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by Local and State regulatory agencies, and EPA Regional Offices and Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for five years.

5(c) Small Entity Flexibility

The Small Business Administration (SBA) defines a small business for SIC 3341 as any company with 500 or fewer employees. Eleven of the 16 companies in this industry meet the small business criterion. In the previous ICR, the recordkeeping and reporting requirements were estimated not to present an unreasonable burden for any of these businesses. Even though the recordkeeping and reporting requirements are the same for small and large business entities, the Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small entities.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 2: Industry Burden.

6. Estimating the Burden and Cost of the Collection

Table 2 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the Subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated at 16,033 person-hours. These hours are based on Agency studies and background documents from the development of the NESHAP standards or test methods, Agency knowledge and experience with the program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses the following labor rates: \$78.54 per hour for Executive, Administrative, and Managerial, \$55.34 per hour for Technical, and \$35.64 per hour for Clerical are used in this ICR. These rates are from the United States Department of Commerce Bureau of Labor Statistics, March 2000, "Table 10. Private industry, by occupational and industry group." The rates are from column 1, "Total compensation." The labor rates have been increased by 110% to account for the benefit packages available to those employed by the private industry.

Managerial	\$78.54	(\$37.40 + 110%)
Technical	\$55.34	(\$26.35 + 110%)
Clerical	\$35.64	(\$16.97 + 110%)

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activity in the standards are labor and continuous monitoring systems. There are no capital start up costs since no new facilities will become subject to the standard over the next three years. The annual operations and maintenance costs

are \$150,000. This is based on an estimated 20 facilities that have installed continuous particulate monitors in order to comply with this MACT standard, multiplied by \$7,500 for annual upkeep of each monitoring device. We are assuming that the cost for operation and maintenance of a temperature monitor is negligible. The total respondent cost is calculated by adding the capital start-up costs and the annual operations and maintenance costs. Since there are no capital costs, the average annual burden to respondents over the next three years of the ICR is estimated to be \$150,000.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Startup Cost (\$) for One Affected Facility	(C) No. of New Affected Facilities to Startup	(D) Total Startup (B X C)	(E) Annual O&M Costs (\$) for One Affected Facility	(F) No. of Affected Facilities with O&M	(G) Total O&M (E X F)
continuous particulate monitor	0	0	0	7,500	20	\$150,000

The capital/startup costs for this ICR are zero. This is the total of column D. This cost is shown on the OMB 83-I form in block 14 (a): Total annualized capital/startup costs. The numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

The total operation and maintenance (O&M) costs for this ICR are \$150,000. This is the total of column G. This cost is shown on the OMB 83-I form in block 14 (b), Total annual costs (O&M). The numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

The total respondent non-labor costs have been calculated as the addition of the capital/startup costs, and the annual operation and maintenance costs. The average annual cost for capital/startup and, operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$150,000. This cost is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. The numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are user costs associated with analysis of the reported information. Publication and distribution of the information are part of the AIRS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Agency cost during the 3 years of the ICR is estimated to be \$44,301 (see

attached Table 1). This cost is based on the average hourly labor rate at a GS-12, Step 1, times a 1.6 benefits multiplication factor to account for government overhead expenses for a total of \$36.98. This rate is from OPM's "2001 General Schedule" which excludes locality rates of pay. Details upon which this estimate is based appear in Table 1. Annual Agency Burden and Cost.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Respondent Universe					
Regulation Citation	(A) No. of New Sources/Year	(B) No. of Initial Reports for New Sources	(C) No. of Existing Sources	(D) No. of Reports for Existing Sources	(E) Total Annual Responses (AxB)+(CxD)
Section 63.549 (Notification of reconstruction)	1 *	1*			1
Sections 63.550(b), and 63.10 (Semiannual reports)			23	2	46
Sections 63. (Notification of operational change_)			23	1 **	23
TOTAL					70

* We assume that although no new plants will be constructed, one new furnace or affected facility will be rebuilt.

** All facilities will make a major adjustment once a year.

The number of total respondents is 23 since we assume that no new plants will be constructed over the three year period. It is shown on the OMB 83-I form in block 13 a.

The “Total Annual Responses” is 70. This number is the sum of the Total Annual Responses for each regulation citation in column E of the *Respondent Universe* table. It is shown on the OMB 83-I form in block 13 (b). The total annual labor costs for respondents are \$876,004. This number is not shown on the OMB 83-I form in block 13 (c), only the burden hours are reflected in block 13 (c). Details upon which this estimate is based appear in Table 2. Annual Respondent Burden and Cost.

The total annual capital and O&M costs to the regulated entity are \$150,000. This number is shown on the OMB 83-I form in block 14 (c). These costs are detailed in section 6(b)(iii), Capital/Start-up vs. Operating and Maintenance (O&M) Costs.

6(e) Respondent Burden And Cost Table

Refer to Table 2, attached.

6(f) Reasons for Change in Burden

There is no increase in burden hours to sources subject to this rule when compared to the most recently approved ICR, however, the cost for recordkeeping and reporting requirements has increase due to an increase in labor rates as indicated by the Bureau of Labor Statistics.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Ms. Susan Auby, Collection Strategies Division (Mail Code 2822), Office of Environmental Information, United States Environmental Protection Agency, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460-0001; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB Control Number in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.